IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY THIRD DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 21569 of 2001

Between:

A.P.Warehousing Staff Union, Regd. No.430
Rep. by its General Secretary V.Kamalakar,

II Floor,Behind Gandhi Bhavan, Nampally,

Hyderabad.

....PETITIONER

AND

A.P. State Warehousing Corporation Rep.

By its Managing Director, II Floor, Behind

Gandhi Bhavan, Nampally, Hyderabad.

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction, one in the nature of Writ of Mandamus declaring the action of the respondent in not regularizing the services of Employees working as Sweepers as arbitrary, illegal and unconstitutional and consequently direct the respondents to regularize the services of the employees who are working as Sweepers satisfying the conditions of G.O.Ms.No.212, dated 22-04-1994.

Counsel for the Petitioner:MR.D.DEVENDER RAO

Counsel for the Respondent :MR.C.R.SRIDHARAN

The Court made the following :

ORDER

Subsequent to restoration of the Writ Petition setting aside the earlier order, dated 17-03-2005, the matter was heard.

The main submission made on behalf of the respondent is that the question involved is squarely covered by the provisions as laid down in a decision reported in ***Secretary, A.P.Social Welfare Residential Educational Institutions Society, Hyderabad and others v P.Venkata Kumari.*** Therefore, the Writ Petition has to be disposed of.

However, the learned Senior counsel appearing on behalf of the petitioner submits that even as per the said decision, necessarily the petitioner's case has to be considered subject to the fulfillment of conditions as laid down in G.O.Ms.No.212, dated 22-04-1994.

Having considered the submissions made and having regard to the principles as laid down, it cannot be said that the petitioner's case is totally a different one. Therefore, the matter has to be considered afresh by the respondent herein in terms of G.O.Ms.No.212, dated 22-04-1994, as pointed out subject to the conditions as laid down there under. It is now pointed out on behalf of the petitioner that there are 85 vacancies in all and therefore, it is a fit case for consideration.

In the circumstances, the Writ Petition is accordingly disposed of following the aforesaid provisions directing the respondent to consider the petitioner's case in terms of G.O.Ms.No.212, dated 22-04-1994, subject to petitioner fulfils the conditions as laid down there under. No costs.

23-03-2005.

Hsd

Asst. Registrar

To

1. The Managing Director, A.P. State Warehousing Corporation, II Floor, Behind

Gandhi Bhavan, Nampally, Hyderabad.

2. 2 CD copies.